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EXPEDITED CONSIDERATION REQUESTED

August 1, 2008

VIA E-FILING

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

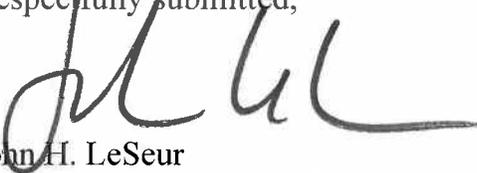
Re: Docket No. 42088, *Western Fuels Association, Inc. and Basin Electric Power Cooperative, Inc. v. BNSF Railway Co.*

Dear Ms. Quinlan:

Enclosed for filing, please find the Unopposed Motion for Extension of Time of Complainants Western Fuels Association, Inc. and Basin Electric Power Cooperative, Inc.

Please note that this Motion requests **expedited consideration**. Thank you for your attention to this matter.

Respectfully submitted,


John H. LeSeur
An Attorney for Complainants

Enclosure

cc: Counsel for Defendant BNSF Railway Co.

EXPEDITED CONSIDERATION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

WESTERN FUELS ASSOCIATION, INC.)	
and BASIN ELECTRIC POWER)	
COOPERATIVE, INC.)	
)	
Complainants,)	
)	
v.)	Docket No. 42088
)	
BNSF RAILWAY COMPANY)	
)	
Defendant.)	

**UNOPPOSED
MOTION FOR EXTENSION OF TIME**

WESTERN FUELS ASSOCIATION, INC.
and BASIN ELECTRIC POWER
COOPERATIVE, INC.

OF COUNSEL:

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By: John H. LeSeur
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(202) 347-7170

Dated: August 1, 2008

Attorneys for Complainants

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

WESTERN FUELS ASSOCIATION, INC.)	
and BASIN ELECTRIC POWER)	
COOPERATIVE, INC.)	
)	
Complainants)	
)	
v.)	Docket No. 42088
)	
BNSF RAILWAY COMPANY)	
)	
Defendant.)	
)	

**UNOPPOSED
MOTION FOR EXTENSION OF TIME**

Pursuant to 49 C.F.R. §§ 1104.7(b) and 1115.5(a), complainants Western Fuels Association, Inc. and Basin Electric Power Cooperative, Inc. (collectively “WFA/Basin”) respectfully request that the Board extend the due date for the filing of their Third Supplemental Rebuttal Evidence from August 11, 2008 to August 15, 2008.

In support hereof, WFA/Basin state as follows:

On March 12, 2008, the Board issued a procedural schedule for the submission of supplemental evidence. Pursuant to that schedule, WFA/Basin filed their Third Supplemental Opening Evidence on May 13, 2008 and BNSF Railway Company (“BNSF”) filed its Third Supplemental Reply Evidence on July 14, 2008. WFA/Basin’s Third Supplemental Rebuttal Evidence is currently due on August 11, 2008.

WFA/Basin request this short extension in order to properly prepare and present their rebuttal evidence. This request is necessitated by the fact that BNSF's supplemental reply evidence is voluminous and, among other things, contains multiple stand-alone railroad configurations, multiple RTC Model runs, and multiple DCF/MMM runs.

Also, WFA/Basin's outside counsel and consultants are representing the complainant in the AEP Texas case.¹ Opening supplemental reply evidence is due in AEP Texas on August 8, 2008. The Board previously set this filing date at the request of BNSF counsel to address conflicts BNSF counsel and consultants had in simultaneously presenting supplemental evidence in this case and AEP Texas. Counsel and consultants for WFA/Basin and AEP Texas are assiduously working in both cases, but the short extension requested here would afford WFA/Basin the modest additional time they need to properly present their rebuttal evidence in this case.

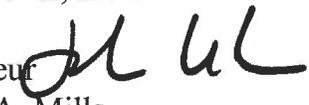
Counsel for WFA/Basin have contacted counsel for BNSF concerning this extension request. BNSF counsel has informed WFA/Basin counsel that BNSF does not object to the Board's granting this Motion.

¹ AEP Texas North Company v. BNSF Railway Company, STB Docket No. 41191 (Sub-No. 1) ("AEP Texas").

For the reasons set forth above, WFA/Basin request that the Board grant this Motion. WFA/Basin also request that the Board decide this Motion on an expedited basis in light of the involved time frame.

Respectfully submitted,

WESTERN FUELS ASSOCIATION, INC.
and BASIN ELECTRIC POWER
COOPERATIVE, INC.

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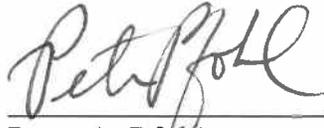
Dated: August 1, 2008

Attorneys for Complainants

CERTIFICATE OF SERVICE

I hereby certify that this 1st day of August, 2008, I served a copy of the foregoing Unopposed Motion for Extension of Time by hand delivery on designated outside counsel for BNSF, as follows:

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